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EASTERN DISTRICT OF TEXAS

DARRELL KEITH CRITTENDEN,

Plaintiff,

versus

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CIVIL ACTION NO. 1:05-CV-716

TIMOTHY OUTLAW, et al.,

Defendants.

MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Darrell Keith Crittenden, formerly an inmate confined within the Bureau of Prisons, proceeding *pro se*, filed this civil rights lawsuit against Timothy Outlaw, Rita P. Sackett and Teresa McIntosh. The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this court.

Defendant McIntosh has filed a motion to dismiss or, in the alternative, motion for summary judgment. In addition, defendants Sackett and Outlaw have filed a motion to dismiss or, in the alternative, motion for summary judgment. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that both of the motions be granted.

The court has received the magistrate judge's Report and Recommendation, along with the record, pleadings, and all available evidence. No objections were filed to the Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions set forth in the magistrate judge's Report and Recommendation are correct and the report is **ADOPTED**. The motion to dismiss filed by defendant McIntosh, as well as the motion to dismiss filed by defendants Sackett and Outlaw, are

GRANTED. A final judgment shall be entered dismissing this lawsuit pursuant to Federal Rule of Civil Procedure 12(b)(6).

SIGNED at Beaumont, Texas, this 29th day of April, 2019.

Marcia A. Crone.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE